

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TEXAS,
SAN ANTONIO DIVISION

JOHN BRADLEY WHEELER, and	§	
ROBIN OGDEN WHEELER,	§	
Plaintiff	§	
	§	Civil Action No. SA-16-CA-1122-FB
vs.	§	
	§	
JOAQUIN OLIVAS; ABC TRANSPORT,	§	
LLC; AJ BORDER INTERNATIONAL;	§	
RJ BORDER MANAGEMENT, LLC;	§	
RJ BORDER INTERNATIONAL, LP; and	§	
VAGO TRUCKING, LLC;	§	
Defendants	§	

JOINT ALTERNATIVE DISPUTE RESOLUTION (ADR) REPORT

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Plaintiffs JOHN BRADLEY WHEELER and ROBIN OGDEN WHEELER (referred to herein as “Plaintiffs”) and Defendants JOAQUIN OLIVAS; ABC TRANSPORT, LLC, AJ BORDER INTERNATIN, RJ BORDER MANAGEMENT, LLC, RJ BORDER INTERNATIONAL, LP, and VAGO TRUCKING, LLC (referred to herein as “Defendants”), and file this Joint Alternative Dispute Resolution (ADR) Report (herein “ADR Report”), and in support would respectfully show the Court as follows:

1. The ADR Report is filed in compliance with Rule CV-88 of the Local Rules of the Western District of Texas (herein “LR CV-88”).
2. Daniel J. T. Sciano of TINSMAN & SCIANO, INC., is in charge of settlement negotiations for Plaintiffs. Mr. Sciano will be assisted by Dennis O. Moore of his office.
3. Larry Warren of NAMAN HOWELL SMITH & LEE PLLC is in charge of settlement negotiations for Defendants. Mr. Warren will be assisted by Andrew Stamper of his office.
4. This is a trucking accident that does not have significant complex issues. Therefore, the Parties have agreed that mediation pursuant to LR CV-88 is appropriate in this matter.

5. The Parties have further agreed to Don Philbin, Danny Kustoff or Robert Rios as potential mediators. Each of which are all competent mediators, and the Parties' respective counsel have used all three in past mediations with great success.

6. The mediators charge a set fee per party for mediation. The Parties have agreed that each party will pay its own portion of the mediation fee unless agreed otherwise or ordered by the Court.

7. Plaintiffs will forward a Written Offer of Settlement to Defendants on or before **May 8, 2017** pursuant to the Scheduling Order entered in this matter. Under the terms of the Scheduling Order, Defendants have until **May 22, 2017** to render a written response.

8. The Parties have expressed their willingness to attempt in good faith to amicably resolve this matter. The parties will agree to a mediation date in the future as the Parties intend to conduct sufficient discovery to allow the best opportunity for a fruitful mediation.

9. All of the persons who have appeared in the action conferred concerning the contents of this ADR report, and the parties have agreed as to its contents.

Respectfully submitted

TINSMAN & SCIANO, INC.

By: /s/Daniel J.T. Sciano

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